

Minutes of Special Meeting of November 12, 2009

City Council Chambers, One Twin Pines Lane

SPECIAL MEETING

CALL TO ORDER 5:07 P.M.

ROLL CALL

COUNCILMEMBERS PRESENT: Feierbach, Lieberman, Dickenson, Wozniak, Braunstein

COUNCILMEMBERS ABSENT: None

Staff Present: City Manager Crist, City Attorney Zafferano, Police Chief Mattei, Parks and Recreation Director Gervais, Community Development Director de Melo, City Treasurer Violet, and City Clerk Cook.

OLD BUSINESS

Further consideration of Resolution Approving Acquisition of Lands in the San Juan Canyon (87 Parcels, APN's 043-021-380, 043-021-010, 043-072-010, 043-072-030, 043-030-120, 043-030-320 through 500, 043-042-180, 043-042-580 through 600, 043-042-630 through 690, 043-061-290, 043-061-400, 043-061-580 through 810, 043-062-010, 043-062-160 through 200, and 043-062-480 through 670) – item continued from 11/10/09

Finance Director Fil noted that additional research was performed since this topic was discussed two days prior.

Community Development Director de Melo provided information regarding six recent comparable sales in the San Juan area, as well as data on vacant lot values. He noted that the potential revenue estimates previously provided were conservative, and vacant lots would likely have a greater value. He clarified that some of the proposed properties contain steep slopes. He noted that depending on how the land was subdivided, it would likely result in large lots with views and open space.

Councilmember Wozniak noted that three of the comparable sales in the San Juan area did not have views.

Discussion ensued regarding potential lot subdivision and land values.

In response to Councilmember Wozniak, Community Development Director de Melo clarified that the HRO-1 zoning district allows clustering of homes, and there is no need for floor area transfer. He further clarified that the proposed lots on Marsten Avenue and Bishop Road are on developed streets.

Judy King, Belmont resident, stated that when everyone looks back on this in the future, they will be happy the City made the purchase. They will not remember how much was paid.

Margo Cheechov, Belmont resident, stated that the City has been trying to acquire property in the San Juan Canyon for many years. She expressed concern that someone else would buy the property and build on it.

Karl Mittelstadt, Belmont Open Space Trust (BOST), stated that BOST supports the efforts to acquire all parcels. He noted that the Carlmont Canyon property took many years and patience to achieve the open space goals in that region.

Dianne Keogh, Belmont resident, expressed support for acquiring all the parcels. She noted that residents would likely contribute money for this purchase if they were asked.

Deke Johnson, Belmont resident, stated that he attended the auction and regrets not purchasing the property. He offered to purchase the subdivided lots, and noted there are many ways to pay for the parcels. He recommended talking with Oracle Corporation regarding trail naming rights. The City risks losing the opportunity to acquire the property because of the tax lien issue. He noted he is likely to buy the property if the City does not.

Carol Rossi, Belmont resident, also expressed support for acquiring all the parcels. She noted this may be the only opportunity to purchase this property. She commented it is a good value for the price. Acquisition of property in the Canyon has been a long driving force in Belmont. The property would provide a good opportunity for a trail system.

In response to Councilmember Dickenson's questions regarding future budget cuts, Finance Director Fil stated there has been a decrease in sales tax revenue, and the City is contemplating additional cuts. He noted the City is not in crisis, and he clarified that the source of funding for this property acquisition is from capital monies, not operating funds.

Councilmember Dickenson noted that the issue is the costs for indebtedness. Finance Director Fil outlined the loan payment schedule.

Councilmember Feierbach stated that originally she did not see the connectivity issue of acquiring all the parcels, but now sees it. She has discussed the financial component of this acquisition with staff. She noted that the number of buildable lots in the San Juan Canyon have been reduced over the years through the lot merger and other programs. She would like to reduce it even further. She stated she changed her mind since this was last discussed, and now feels this is a worthwhile purchase. The monies will likely be paid back. She recognizes the needs of sports groups regarding field improvement.

Councilmember Lieberman stated that since the Council discussed this matter two days ago he has walked the Canyon. He asked the Council if it would support 8-10 subdivided lots as a way to remain revenue neutral.

Councilmember Feierbach stated she could support five lots, and she supports the attempt to pay the money back. She noted there is a need to look into the issue of subdividing in more detail.

Councilmember Dickenson stated he would support as few lots as possible.

Councilmember Wozniak stated that the City is likely to recoup the money with fewer than eight or ten lots.

Councilmember Lieberman stated that this is a policy issue regarding how to spend park-in-lieu fees. He noted that he has heard from many people regarding the need to improve existing sports facilities. He recommended this issue be put to a vote, similar to the Twin Pines Park acquisition. He expressed concerns about stepping out in front of the community on land acquisition. He noted that the community is against hillside development, and he is concerned about building on the proposed subdivided lots. He also expressed concern regarding the ability to sell the lots.

Councilmember Dickenson expressed support for remaining revenue neutral on this acquisition. He also expressed support for the acquisition of all four groups, and to pay back the park-in-lieu funds. He suggested setting aside lots for sale.

Councilmember Wozniak noted that the community is against hillside development. Public speakers this evening support the purchase, and others would likely support it as well. It is a good investment. Land will only get more expensive. She noted that the City has the opportunity to pay back the money through a future property sale, and it could possibly be revenue positive. She supports acquiring all four groups. She noted that the Council has supported organized sports groups and it is now time to support the needs of others in the community.

Mayor Braunstein also expressed support for all four parcel groups. He recommended selling one lot at a time. The City is likely to make money. He noted that revenue neutrality is a legitimate issue, and he supports that as a goal. He stated that the acquisition of this property will provide healthy living opportunities. This is a prime opportunity that the City should take advantage of. He does not want to have regrets later.

Councilmember Lieberman questioned why these lots have not sold before if they are so valuable.

ACTION: Councilmember Feierbach made a motion, seconded by Councilmember Wozniak, to adopt a resolution for the purchase of all parcels.

Councilmember Dickenson questioned whether the motion should be amended to include verbiage regarding what to do if the future lot sales result in surplus revenue, or that the purchase remain revenue neutral. He stated he could support excess revenues being used to improve the Sports Complex.

City Attorney Zafferano recommended two separate motions.

ACTION: On the original motion, Resolution 10186 Approving Acquisition of Lands in the San Juan Canyon (all parcels) was approved by a show of hands (4-1, Lieberman no).

City Attorney Zafferano stated that staff would provide a future report regarding options for subdividing some of the property.

Councilmember Wozniak expressed support for the formation of a parks community foundation.

Councilmember Dickenson suggested that the City Council be realistic regarding expectations.

Councilmember Feierbach noted that many people worked on saving the Canyon for many years, many of whom are no longer in the area. She supports remaining revenue neutral with the creation of as few subdivided lots as possible. The community is likely to support this acquisition. She thanked the City Council for its support of the Canyon.

Mayor Braunstein noted that this matter was continued from November 10th in order to obtain additional information and receive additional input. He thanked all who provided this information.

ADJOURNMENT at this time, being 6:06 P.M.

Terri

Cook

City Clerk

Meeting Tape Recorded and Videotaped
Audio Recording 741